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REMARKS

Reconsideration of the present patent application is respectfully requested. Claims 1, 3-8, 10-15, and 17-24 are pending in this application. Claims 1, 3-6, 8, 10-13, 15, 17-21, and 23 are rejected. Claims 7, 14, 22 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By this amendment, claims 1, 8, 15, 20, and 22 are amended.

Claims 1, 8, 15, and 23 were rejected under 35 U.S.C. §102(a) as being anticipated by Politz, et al. (United States patent No. 5,900,803). Applicant respectfully submits that Politz does not contain all limitations of independent claims 1, 8, and 15, as amended.

Poltz discloses a device including a data processing unit for producing data including mileage covered by the towed vehicle and a wireless transponder for transmission and reception of data from the data processing unit to and from an external data transmitting and receiving station (see Abstract of Politz). Politz describes the wireless communication from the transponder and transceiver as a modulated pulse sequence (downlink). Thus, Politz does not disclose communicating or outputting cumulative mileage in the form of an *ON-OFF sensory* signal (emphasis added) since the wireless modulated signal from the transponder is not sensory.

Since Politz does not teach or disclose the claimed invention, independent claims 1, 8, and 15, as amended, are not anticipated by the cited reference. Applicant further submits the remaining claims are patentable at least by virtue of their dependency from claims 1, 8, and 15. Accordingly, Applicant requests that the rejections of claims 1, 8, and 15 and the claims dependent thereon, be reconsidered and withdrawn.

Claims 4-6, 11-13, 17, 19-21 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Politz in view of Fogg, et al. (U.S. Patent No. 5,337,236) and further in view of Horie (U.S. Patent No. 5,748,076). Applicant respectfully submits that there is no suggestion or motivation to combine the references.

First, the proposed combination renders Politz unsatisfactory for its intended purpose. Politz teaches a *wireless* output device (transponder) which modulates a pulse sequence for transmission of data to an *external* receiver (transceiver) (see Summary of Invention, col. 1, lines 64-66). Conversely, Fogg teaches the use of an alpha-numeric display to communicate mileage

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data while Horie teaches the use of a mechanism giving visual or aural signals for communicating tire pressure diagnostic data. Replacing the wireless output device of Politz with output devices of Fogg or Horie would defeat the purpose of Politz of providing wireless data communication.

Furthermore, Politz indicates that “an *essential prerequisite* for the data communication device according to invention is that it have the means to operate with a minimum current consumption so that its own current supply can operate reliably and, for example, cannot lead, among other things, to an empty battery” (emphasis added). Modifying Politz to include the output device of Horie conflicts with the essential prerequisite of Politz, since adding lights, bells, buzzer, and the like, necessarily adds additional current draw.

Therefore, the requisite motivation to make the proposed combination is lacking. Accordingly, Applicant respectfully requests that the rejections of claims 4-6, 11-13, 17, 19-21 and 23 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

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CONCLUSION

Based on the foregoing remarks and amendments, Applicant believes that all of the claims in this case are now in condition for allowance and an indication to that effect is respectfully requested. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: October 24, 2005By: MR. HullMark R. Hull, Reg. No. 54,753
(216) 622-8419